



LAHIVE  
&  
COCKFIELD  
LLP

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DECONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINCIC, Ph.D.  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN  
SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICHA NAND  
MICHAEL PHILLIPPS \*  
LISA M. DIROCCO  
HATHAWAY P. RUSSELL \*\*  
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.  
VINCENT P. LOCCISANO  
MERIDETH C. ARNOLD  
DANIELLE L. HERRITT

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.  
SIBLEY P. REPPERT

PATENT AGENTS  
THEODORE R. WEST  
SHAYNE Y. HUFF, Ph.D.  
DANIEL B. KO

TECHNICAL SPECIALISTS  
CYNTHIA M. SOROOS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
CATHERINE E. McPHERSON  
ERIC F. WAGNER, Ph.D.  
JACOB G. WEINTRAUB  
JONATHAN M. SPARKS, Ph.D.  
CRISTIN E. HOWLEY, Ph.D.

\* Admitted in NY only  
\*\* Admitted in TX only

October 21, 2002

RECEIVED

OCT 31 2002

TECH CENTER 1600/2900

Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/281,674  
Filed: March 30, 1999  
Title: METHODS FOR REGULATING GENE EXPRESSION  
Applicants: Hermann Bujard, *et al.*  
Our Ref.: BBI-013C3CN2CPA BBC Ref.: BBC-003C3

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Notice of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences (1 page);
2. Request for Two-Month Extension of Time (1 page, *in duplicate*); and
3. A pre-paid, acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

<p><b>Certificate of First Class Mailing (37 CFR 1.8(a))</b></p> <p>I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box AF, Washington, DC 20231 on:</p> <p>October 21, 2002 Date</p> <p><i>Giulio A. DeConti, Jr.</i> Giulio A. DeConti, Jr., Esq., Reg. No. 31,503</p>
--

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

*Giulio A. DeConti, Jr.*  
Giulio A. DeConti, Jr., Esq.  
Reg. No. 31,503